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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/062,628	01/30/2002	Yoshihiro Yamaguchi	16869S-042000US	2477

20350 7590 07/13/2006

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EXAMINER

APPLE, KIRSTEN SACHWITZ

ART UNIT	PAPER NUMBER
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3693

DATE MAILED: 07/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/062,628	Applicant(s) YAMAGUCHI ET AL.	
	Examiner Kirsten S. Apple	Art Unit 3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2002 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>no IDS</u> . | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

This action is in response to the application filed on 01/30/2002.

Priority

Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent Application No. JAPAN 2001-262603 08/31/2001.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-10 are rejected under 35 U.S.C. 102(a) as being anticipated by Vasic, Published Application US 2001/0034676 A1 (application #09,782,756).

Re claim 1: Vasic discloses:

A fund transfer system comprising:

A database when fees are stored (see Vasic, Figure 1, item 4B)

A database fee data is stored separately for fund transfer instruction (see Vasic, Figure 1, item 4B)

A fund transfer processing unit for information (see Vasic, Figure 1, item 4A)

Re claim 2: Vasic discloses:

Only original financial institution is permitted to update-access to data (see Vasic, Figure 1, item 1), and

Only original source of fund transfer instruction is permitted to update-access database source (see Vasic, Figure 1, item 1)

Re claim 3 & 5: Vasic discloses:

A method of fund transfer, the step of:

Receiving fund transfer instruction information (see Vasic, Figure 1, item 2)

Retrieving a fund transfer fee (see Vasic, Figure 1, item 4B)

Calculate a sum of money to be curtailed from the predetermined paying-out account (see Vasic, Figure 1, item 4B, it is inherent that this fee is calculated)

Transmitting the sum (see Vasic, Figure 1, item 5 & 6)

Re claim 4: Vasic discloses:

The beneficiary's account is zero

It is well known in the art at the time of the invention that any account can be between 0-infinite amounts of money. In addition, many accounts have overdraft protection and could be a negative amount. The amount of the account is simply a matter of design or business choice.

Re claim 5: Vasic discloses:

A method of fund transfer, the step of:

Receiving fund transfer instruction information (see Vasic, Figure 1, item 2)

Customer information stored (see Vasic, Figure 1, it is inherent that customer information would be known)

Judging whether or not the fee is charged to the customer who has transmitted the fund (see Vasic, Figure 1, item 4)

Calculating a sum (see Vasic, Figure 1, item 4B, it is inherent that this fee is calculated)

Transmitting the sum of money (see Vasic, Figure 1, item 6)

Re claim 6: Vasic discloses:

A method of fund transfer, the step of:

Retrieving a fund transfer fee (see Vasic, Figure 1, item 4B)

Acquiring the fund transfer fee from first recording unit (see Vasic, Figure 1, item 4B, it is inherent that this fee amount is acquired)

Acquiring the beneficiary's account fee from the second recording unit (see Vasic, Figure 1, item 4B, it is inherent that this fee amount is acquired)

Confirmation information (see Vasic, Figure 1, item 4B, it is inherent that information is confirmed)

Transmitting the confirmation to the terminal of the customer who is identified (see Vasic, Figure 1, item 6)

Re claim 7: Vasic discloses:

The fund transfer fee is [for] set every customer by the financial institution (see Vasic, Figure 1, item 4B)

Wherein steps comprises: retrieving a first recording unit, acquiring the fund transfer fee (see Vasic, Figure 1, item 4B)

Re claim 8: Vasic discloses:

A method of fund transfer, the step of:

Judging on the basis of the fund transfer institution information whether paying-out or paying-in account are in same financial institution, acquiring on of the self-addressed fund transfer fee (see Vasic, Figure 1, "bank" and item 4B)

Re claim 9: Vasic discloses:

The calculation of a sum of money is carried out on the basis of the subtraction of a sum of money corresponding to the fund transfer fee and the addition of a sum of money corresponding to the beneficiary's account fee from and to the fund transfer sum. (see Vasic, Figure 1, item 4, 5 & 6 it is inherent that there is a calculation)

Re claim 10: Vasic discloses:

The fund transfer instruction information contains information exhibiting whether or not the beneficiary's account fee is charge to the remitter, and when that information exhibits that the beneficiary's account fee is not charged to the remitter, the confirmation information is generated on the basis of the fund transfer fee informational and the fund transfer sum without referring to second recording unit (see Vasic, Figure 1, item 4, 5 & 6)

Conclusion

In addition to the prior art patent referenced about the examiner feels it is important to note that it is very common business practice well know in the art at the time of the invention for different individuals to pay the fee for multiple bank processes. The examiner has personally experience her bank asking her with a wire transfer if she “would like to include her bank fees and/or the other individuals bank fees in the transfer” in additional her bank covers the ATM fee that other banks charge. Both of these personal experiences happened before the effective filling date of the applicant. Having different individuals/groups pay for others/their own bank fee (for various transactions) is common and well know to those of ordinary skill in the art at the time of the invention.

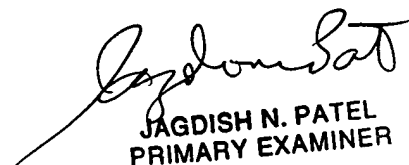
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kirsten S. Apple whose telephone number is 571.272.5588. The examiner can normally be reached on Monday - Friday 7:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-272-6126.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksa


JAGDISH N. PATEL
PRIMARY EXAMINER